



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Deiter C. Gruenert et al. **Examiner:** Konstantina Katcheves
Serial No.: 09/392,682 **Group Art Unit:** 1636
Filed: September 9, 1999 **Docket:** G&C 30448.97-US-D1
Title: GENE THERAPY BY SMALL FRAGMENT HOMOLOGOUS REPLACEMENT

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being filed via First Class Mail to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 26, 2003.

By: Karen S. Canady
Name: Karen S. Canady

REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER 37 C.F.R. §1.114

MAIL STOP RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of patent application Serial No. 09/392,682, filed on September 9, 1999, and entitled GENE THERAPY BY SMALL FRAGMENT HOMOLOGOUS REPLACEMENT, in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred.

- An Amendment and Request for Continued Examination Under 37 C.F.R. §1.114 is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
 - A Petition for Extension of Time under 37 C.F.R. §1.136 for 2 months is attached.
 - The fee has been calculated as shown below in the "Claims as Filed" table.

CLAIMS PRESENT

- Charge the Deposit Account identified below in the amount of \$375.00 to cover the RCE Filing Fees.
 - Charge the Extension Fee in the amount of \$420.00 to the Deposit Account.
 - Declaration of Dieter C. Gruenert Under 37 C.F.R. §1.132 including Exhibits A and B.
 - Address all future communications to the Attention of Karen S. Canady at Gates & Cooper LLP, Howard Hughes Center, 6701 Center Drive West, Suite 1050, Los Angeles, California 90045, Telephone: (310) 641-8797.

09/30/2003 MBELETE1 00000054 500494 09392682

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A return postcard is enclosed.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

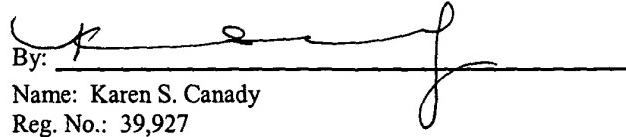
Please charge all fees to Deposit Account No. 50-0494 of Gates & Cooper LLP. A duplicate of this paper is enclosed.

CUSTOMER NUMBER 22462

GATES & COOPER LLP

Howard Hughes Center
6701 Center Drive West, Suite 1050
Los Angeles, CA 90045
(310) 641-8797

By:


Name: Karen S. Canady
Reg. No.: 39,927
KSC/sjm

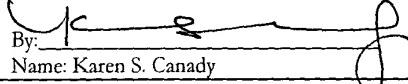


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REPLACEMENT

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8

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By: _____
Name: Karen S. Canady

**AMENDMENT AND REQUEST FOR CONTINUED EXAMINATION
UNDER 37 C.F.R. §1.114**

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated March 26, 2003, which was made final, Applicants hereby request continued examination (RCE) and entry of the following amendments in the above-identified application. The fee required under 35 C.F.R. §1.17(e) for the RCE is submitted herewith.

Also submitted herewith is a request for extension of time, with fee, extending the period for response from July 26, 2003, to September 26, 2003. A Petition and Fee for a one-month extension of time, extending the period of response from June 26, 2003 to July 26, 2003 was submitted on July 28, 2003.

Amendments to the claims begin on page 2.

Remarks begin on page 7. Reference is made therein to a Declaration Under 37 C.F.R. §1.132 by Dieter C. Gruenert and Exhibits A and B submitted herewith.